

Docket No.: 112898.601

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled APPARATUS AND METHOD FOR ASSAYING COAGULATION IN FLUID SAMPLES, the specification of which [] is attached hereto [X] was filed on as Application Serial No. 09/712,209 on March 15, 2000, and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

I hereby authorize the U. S. attorneys and agents named herein to accept and follow instructions from as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U. S. attorney(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U. S. attorney(s) will be so notified by the undersigned.

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):	
<u>Application Number</u>	<u>Filing Date</u>

60/164,935	November 15, 1999
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Application(s):		
<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

I hereby appoint the following attorney(s) and/or agent(s):

Robert A. Koons, Jr.	Reg. No. 32,474	Leo J. Jennings	Reg. No. 32,902
Gilberto M. Villacorta, Ph.D.	Reg. No. 34,038	Corinne M. Pouliken	Reg. No. 35,753
Kenneth J. Sheehan	Reg. No. 36,270	Jean C. Edwards	Reg. No. 41,728
Edna Vassilovski	Reg. No. 42,198	Marc Maloney	Reg. No. 43,771
Elizabeth Stanley	Reg. No. 44,438	Christopher J. Kay, Ph.D.	Reg. No. 44,820
Paul D. Roath, Ph.D.	Reg. No. 45,045	James M. Singer	Reg. No. 45,111
Thor B. Nielsen, Ph.D.	Reg. No. 45,528	Matthew P. McWilliams	Reg. No. 46,922

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number. with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to:

21269 **Pepper Hamilton LLP**
600 Fourteenth Street, N.W.
Washington, D.C. 20005
Tel.: 202.220.1200

Full name of sole or first inventor: Cindra A. Widrig Opalsky

Inventor's signature: Candra A. Wedrie Opalsky

Date: March 27, 2001

Residence: Ottawa, Ontario ~~San Diego, CA~~ La Jolla, CA

Citizenship: U.S.

Post Office Address: 923 Bronson Avenue, Ottawa, Ontario K1S 4G8 8680-1 Villa La Jolla Dr.
La Jolla, CA 92037

Full name of sole or second inventor: David Opalsky

Inventor's signature: Daniel opalsky

Date: MARCH 27 20

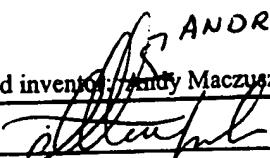
Residence: Ottawa, Ontario, La Tolla, CA

Citizenship: U.S.

Post Office Address: 923 Bronson Avenue, Ottawa, Ontario K1S 4G8 8680-1 Villa La Jolla Dr
La Jolla, CA 92037

ANDRZEJ

Full name of sole or third inventor: Andy Maczuszenko

Inventor's signature: 

Date: 28 Mar 2001

Residence: 20 ROWSE CR, TORONTO ONT M9P 3L5

Citizenship: CANADIAN

Post Office Address: 20 ROWSE CR, TORONTO ONT M9P 3L5

Full name of sole or fourth inventor: Imants R. Lauks

Inventor's signature:

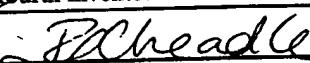
Date:

Residence: Rockcliffe Park, Ontario

Citizenship: Canadian

Post Office Address: 218 Coltrin Road, Rockcliffe Park, Ontario K1M 0A6

Full name of sole or fourth inventor: Rhonda J. Cheadle

Inventor's signature: 

Date: 07 Mar 01

Residence: Ottawa, Ontario

Citizenship: Canadian

Post Office Address: 84 Flora, Ottawa, Ontario K2B 1A8

DC: #177691 v1 (3T3V011.WPD)

110 Terranview Drive, KINBURN, ON
K0A 0T0

Docket No.: 112898.601

DECLARATION AND POWER OF ATTORNEY

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My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled APPARATUS AND METHOD FOR ASSAYING COAGULATION IN FLUID SAMPLES, the specification of which [] is attached hereto [X] was filed on as Application Serial No. 09/712,209 on March 15, 2000, and was amended on (if applicable)

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<u>Prior Foreign Application(s):</u>			<u>Priority Claimed</u>	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

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<u>Prior Provisional Application(s):</u>	
<u>Application Number</u>	<u>Filing Date</u>

60/164,935	November 15, 1999
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Prior U. S. Application(s):</u>	<u>Status:</u>
<u>Serial No.</u>	<u>Filing Date</u>

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Gilberto M. Villacorta, Ph.D.	Reg. No. 34,038	Corinne M. Pouliquen	Reg. No. 35,753
Kenneth J. Sheehan	Reg. No. 36,270	Jean C. Edwards	Reg. No. 41,728
Edna Vassilovski	Reg. No. 42,198	Marc Maloney	Reg. No. 43,771
Elizabeth Stanley	Reg. No. 44,438	Christopher J. Kay, Ph.D.	Reg. No. 44,820
Paul D. Roath, Ph.D.	Reg. No. 45,045	James M. Singer	Reg. No. 45,111
Thor B. Nielsen, Ph.D.	Reg. No. 45,528	Matthew P. McWilliams	Reg. No. 46,922

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21269 **Pepper Hamilton LLP**
600 Fourteenth Street, N.W.
Washington, D.C. 20005
Tel.: 202.220.1200

Full name of sole or first inventor: Cindra A. Widrig Opalsky

Inventor's signature:

Date:

Residence: Ottawa, Ontario

Citizenship: U.S.

Post Office Address: 923 Bronson Avenue, Ottawa, Ontario K1S 4G8

Full name of sole or second inventor: David Opalsky

Inventor's signature:

Date:

Residence: Ottawa, Ontario

Citizenship: U.S.

Post Office Address: 923 Bronson Avenue, Ottawa, Ontario K1S 4G8

Full name of sole or third inventor: Andy Maczuszenko

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Full name of sole or fourth inventor: Imants R. Lauks

Inventor's signature:

Date: 19 Apr 2001

Residence: Rockcliffe Park, Ontario

Citizenship: Canadian

Post Office Address: 218 Coltrin Road, Rockcliffe Park, Ontario K1M 0A6

Full name of sole or fourth inventor: Rhonda J. Cheadle

Inventor's signature:

Date:

Residence: Ottawa, Ontario

Citizenship: Canadian

Post Office Address: 84 Flora, Ottawa, Ontario K2P 1A8

DC: #177691 v1 (3T3V01!.WPD)

012849/0211 PAGE 2

SERIAL NUMBER: 09712209
PATENT NUMBER:

FILING DATE: 11/15/2000
ISSUE DATE:

SHAREILL COLES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



APR 30 2002

05-06-2002



FORM PTO-1595
1-31-92

REC

DOCKET NO.: 112898.601

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

192079602

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereto:

1. Name of conveying party(ies):

Cindra A. Widrig OPALSKY, David OPALSKY,
Andrzej MACZUSZENKO, Rhonda J. CHEADLE, and
Imants R. LAUKS

4/30/02

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: 27 Mar 2001, 27 Mar 2001, 28 Aug 2001,
24 Aug 2001, and 19 April 2001 respectively.

2. Name and address of receiving party(ies):

Name: i-STAT Corporation

Internal Address:

Street Address: 104 Windsor Center Drive

City: East Windsor State/Country: NJ ZIP: 08520

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If the document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

09/712,209

B. Patent No(s).

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: KATTEN MUCHIN ZAVIS ROSENMAN

Internal Address:

Street Address: Patent Administrator

525 West Monroe Street, Suite 1600

City: Chicago State: IL ZIP: 60661-3693

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

50-1710

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Corinne M. Pouliquen, Reg. No. 35,753
Name and Registration No. of Person Signing


Signature

4/30/02
Date

Total number of pages including cover sheet: 10

CMB No. 0851-0011 (exp. 4/94)

DC:4127789v1-112898.601/215105.00601

05/03/2002 TDIAT1 00000197 09712209

01 FC:581

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APR 29 2002

Docket No.: 112898.601

ASSIGNMENT IP DEPT

WHEREAS We, Cindra A. Widrig Opalsky of Ottawa, Canada, David Opalsky of Ottawa, Canada, Andy Maczuszenko of Etobicoke, Canada, Rhonda J. Cheadle of Ottawa, Canada and Imants R. Lauks of Rockcliffe Park, Canada, respectively, ("Assignor"), have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled **APPARATUS AND METHOD FOR ASSAYING COAGULATION IN FLUID SAMPLES**, executed by me on the date of execution of this document, as shown below, and filed concurrently herewith; AND/OR for which a Provisional application for United States Letters Patent was filed on November 14, 2000, and identified by United States Provisional Serial No. 09/712,209.

AND WHEREAS, I-STAT Corporation, a corporation of the state of New Jersey and having an address of 104 Windsor Center Drive, East Windsor, NJ 08520, ("Assignee"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto I-STAT, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention, including the right to sue for past infringement, as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATION, We hereby agree with the said Assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of Assignor and Assignee;

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said I-STAT Corporation, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Date: March 31, 2001

Cindra A. Widrig Opalsky
Cindra A. Widrig OPALSKY

STATE OF _____)
COUNTY OF _____) SS:

On this _____ day of _____, 2001, before me personally appeared Cindra A. Widrig OPALSKY, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL.

Notary Public

My commission expires

Date: MARCH 27 0

Daniel Spalding

David OPALSKY

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared David OPALSKY to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date: _____

Andy MACZUSZENKO

STATE OF _____)
COUNTY OF _____) SS:

On this _____ day of _____, 2001, before me personally appeared Andy MAZUSZENKO to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date:

Rhonda J. CHEADLE

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared Rhonda J. CHEADLE to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date: _____

Imants R. LAUKS

STATE OF _____

) SS:

COUNTY OF _____

On this _____ day of _____, 2001, before me personally appeared Imants R. LAUKS to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

DC: #177646 v1 (3T2M01.DOC)

ASSIGNMENT

ANDRZEJ

WHEREAS We, Cindra A. Widrig Opalsky of Ottawa, Canada, David Opalsky of Ottawa, Canada, ~~Andy Maczuszenko~~ of Etobicoke, Canada, Rhonda J. Cheadle of Ottawa, Canada and Imants R. Lauks of Rockcliffe Park, Canada, respectively, ("Assignor"), have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled APPARATUS AND METHOD FOR ASSAYING COAGULATION IN FLUID SAMPLES, executed by me on the date of execution of this document, as shown below, and filed concurrently herewith; AND/OR for which a Provisional application for United States Letters Patent was filed on November 14, 2000, and identified by United States Provisional Serial No. 09/712,209.

AND WHEREAS, I-STAT Corporation, a corporation of the state of New Jersey and having an address of 104 Windsor Center Drive, East Windsor, NJ 08520, ("Assignee"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto I-STAT, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention, including the right to sue for past infringement, as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATION, We hereby agree with the said Assignee that We will not execute any writing or do any act whatsoever conflicting with these presents, and that We will, at any time upon request, without further or additional consideration but at the expense of said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of Assignor and Assignee;

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

AND We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said I-STAT Corporation, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Date: _____

Cindra A. Widrig OPALSKY

STATE OF _____)

) SS:

COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared Cindra A. Widrig OPALSKY, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

Date: _____

David OPALSKY

On this _____ day of _____, 2001, before me personally appeared **David OPALSKY** to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date: 28 Aug 2001

On this _____ day of _____, 2001, before me personally appeared Andy MAZUSZENKO to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date: 7.24 Aug 01

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared Rhonda J. CHEADLE to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL.

Notary Public

My commission expired

Date: _____

Imants R. LAUKS

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared **Imants R. LAUKS** to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

DC: #177646 v1 (3T2M01!.DOC)

ASSIGNMENT

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NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, We do hereby sell, assign, transfer and set over unto I-STAT, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention, including the right to sue for past infringement, as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

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Date:

Cindra A. Widrig OPALSKY

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared Cindra A. Widrig OPALSKY, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL.

Notary Public

My commission expires

Date: _____

David OPALSKY

STATE OF _____

1 SS:

COUNTY OF _____

On this _____ day of _____, 2001, before me personally appeared David OPALSKY to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date:

Andy MACZUSZENKO

STATE OF _____

) SS:

COUNTY OF _____

On this _____ day of _____, 2001, before me personally appeared Andy MAZUSZENKO to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date: _____

Rhonda J. CHEADLE

STATE OF _____

→ SS:

COUNTY OF _____

On this _____ day of _____, 2001, before me personally appeared Rhonda J. CHEADLE to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires

Date: 16 JUL 1981

Imants R. LAUKS

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 2001, before me personally appeared Imants R. LAUKS to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires _____

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